IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 3830 of 2005

Between:

B.H. Kumar, E-107281, S/o. Ramulu
Shadnagar Depot, R/o. Shadnagar, Mahaboobnagar District.

..... PETITIONER

AND

1 The Regional Manager, APSRTC, Mahaboobnagar Region, at Mahaboobnagar.
2 The Depot Manager, APSRTC, Shadnagar Depot, Mahaboobnagar. .....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to Issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents herein in not granting the selection grade scale stagnation increments to the petitioner on completion of 12 years service is illegal, unjust and arbitrary, contrary to well established principles of law and as such set aside the same by directing the respondents herein to add the stagnation increment to the petitioners on completion of 12 years of service irrespective of his transfer from the date of initial appointment and to pay the arrears by re-fixing the pay of the petitioner forthwith.

Counsel for the Petitioner : Mr.S.M.SUBHAN

Counsel for the Respondents : Mr.P.VINAYAKA SWAMY

The Court at the admission stage, made the following :

ORDER:

Questioning the action of the respondents in not granting selection grade scale stagnation increment to the petitioner on completion of 12 years service, the present writ petition is filed.

According to the petitioner, he had joined in the Respondent Corporation as Conductor in the year 1986 at Hyderabad Region. On his request, he was transferred to Mahaboobnagar Division in the year 1990 and has completed 12 years of service in the year 1998 and therefore he was eligible for stagnation increment on completion of 12 years of service in the same category, but the same was denied on the ground that he was transferred from another division and lost his seniority. Questioning the same, the present writ petition is filed.

The learned counsel for petitioner submits that the subject matter of this writ petition is covered by the judgment of this Court in W.P.No.5726 of 2000 dated 23.8.2002, which was also confirmed by the Division Bench in W.A.No. 1301 of 2000 dated 29.10.2002.

In view of the above, this writ petition is also disposed of in terms of the order passed in W.P.No. 5726 of 2000 dated 23.8.2002.

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K.C.BHANU, J

Date: 1.3.2005

DA

To

1 The Regional Manager, APSRTC, Mahaboobnagar Region, at Mahaboobnagar.
2 The Depot Manager, APSRTC, Shadnagar Depot, Mahaboobnagar.

3 Two CD copies.